

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

JOHN RANDALL FUTCH,)	
)	
Plaintiff,)	
)	
v.)	
)	CV422-295
)	
FEDEX GROUND, ¹)	
)	
)	
Defendant.)	

ORDER

After denying Defendant FedEx Ground's Motion for Summary Judgment, doc. 54 at 8, the Court directed Defendant and *pro se* Plaintiff John Futch to confer as required by Rule 26(f) and submit a joint Rule 26(f) Report within 30 days from the issuance of that Order. *See id.* at 8-9. The parties' deadline to submit their joint 26(f) Report was October 18, 2023.

On October 18th, Plaintiff submitted a Rule 26(f) Report. Doc. 57. Though apparently defense counsel participated in the October 12, 2023

¹ The District Judge granted Merrick Garland and the United States of America's Motion to Dismiss. *See* doc. 54 at 2. They were, therefore, dismissed from this case. The Clerk is **DIRECTED** to update the docket accordingly.

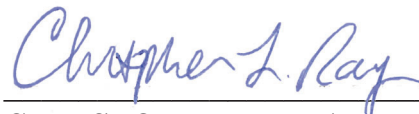
Rule 26(f) Conference, *id.* at 1, only Plaintiff signed the Report, *id.* at 6. Plaintiff also filed a “Notice to the Court Pursuant to Rule 26(f) Report,” doc. 56, explaining that defense counsel “did not provide the draft [Report] until October 17, 2023 leaving any adequate time [sic] between Plaintiff’s schedule to resolve a dispute. Plaintiff was left no alternative but to file *his own report* in order to meet the Court[']s deadline.” *Id.* at 1-2 (emphasis added). Despite the October 18th deadline, *see* doc. 54 at 9, Defendant has not responded to Plaintiff’s “Notice” or unilateral Rule 26(f) Report. *See generally* docket.

Parties in a case are jointly responsible for conferring and submitting a Rule 26(f) Report. *See* Fed. R. Civ. P. 26(f)(2); doc. 54 at 9 (directing the parties to submit a *joint* 26(f) Report). A Rule 26(f) Report requires the consent and signatures of all parties. Plaintiff’s Rule 26(f) Report, doc. 57, which Plaintiff identifies as “his own” and which does not include defense counsel’s signature, is **DISMISSED** as insufficient. The parties are **DIRECTED** to reconfer and submit a *joint* Rule 26(f) Report by November 9, 2023.² Furthermore, this case was recently reassigned

² If either party has difficulty in accomplishing this direction, they are advised to follow the undersigned’s Standard Procedures for Discovery Disputes, which can be found on the Court’s website.

from the Honorable William T. Moore, Jr. to the Honorable Lisa Godbey Wood. Doc. 55 at 2. The parties are therefore **DIRECTED** to file their Rule 26(f) Report using Judge Wood's Rule 26(f) Report form, which incorporates additional deadlines and instructions not found in Judge Moore's preferred form. Judge Wood's Rule 26(f) Report form can be located at the Court's website www.gasd.uscourts.gov under "Forms" at the general "Civil Forms" tab.

SO ORDERED, this 19th day of October, 2023.



CHRISTOPHER L. RAY
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA